

# House File 286 - Introduced

HOUSE FILE 286

BY MASCHER and LENSING

## A BILL FOR

1 An Act relating to the use of safety helmets by operators of,  
2 and passengers on, motorcycles and motorized bicycles, and  
3 providing a penalty.

4 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 321.275, Code 2017, is amended by adding  
2 the following new subsection:

3 NEW SUBSECTION. 9. *Helmets required.*

4 a. A person shall not operate a motorcycle or motorized  
5 bicycle on a highway of this state if the operator or any  
6 passenger is not wearing a safety helmet. A person shall  
7 not ride as a passenger on a motorcycle or motorized bicycle  
8 being operated on a highway of this state if the operator, the  
9 person, or any other passenger is not wearing a safety helmet.

10 b. For purposes of this subsection, "*wearing a safety*  
11 *helmet*" means having a safety helmet that complies with the  
12 standards and specifications established in 49 C.F.R. §571.218  
13 on the person's head that is fastened with the helmet straps  
14 and that is of a size that fits the person's head securely  
15 without excessive lateral or vertical movement. The department  
16 shall adopt rules establishing guidelines for approved safety  
17 helmets and shall maintain and publish a list of approved  
18 safety helmets. The list need not be inclusive.

19 Sec. 2. Section 805.8A, subsection 6, paragraph b, Code  
20 2017, is amended to read as follows:

21 b. Section 321.275, subsections 1  
22 through 7 and 9.....\$ 35.

23 EXPLANATION

24 The inclusion of this explanation does not constitute agreement with  
25 the explanation's substance by the members of the general assembly.

26 This bill prohibits a person from operating a motorcycle or  
27 motorized bicycle on a highway if the operator or any passenger  
28 is not wearing a safety helmet. The bill also prohibits a  
29 passenger from riding on a motorcycle or motorized bicycle  
30 if the operator or another passenger is not wearing a safety  
31 helmet. The safety helmet must be in compliance with federal  
32 regulations and must fit the person's head securely and be  
33 fastened with helmet straps. The bill directs the department  
34 of transportation to establish guidelines for motorcycle safety  
35 helmets and to maintain and publish a list of approved helmets.

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1     The bill provides that a violation of this provision is a  
2 simple misdemeanor punishable by a scheduled fine of \$35.